

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

TIDEWATER BARGE LINES, INC., as )  
demise owner of the barge BIG BIN, )

Plaintiff, )

Case No. 03-1225-ST

In a cause for exoneration from or limitation )  
of liability. )

ORDER

\_\_\_\_\_)  
CP SHIPS, LTD., ITALIA di )  
NAVIGAZIONE, S.p.A, CONTSHIP )  
CONTAINER LINES, LTD., )  
AUSTRALIA-NEW ZEALAND DIRECT )  
LINES, and TMM LINES, LTD., )

Claimants/Third-Party Plaintiffs, )

vs. )

THE PORT OF LEWISTON, an Idaho )  
municipal corporation, )

Third-Party Defendant, )

and )

THE PORT OF PORTLAND, an Oregon )  
municipal corporation, and MARINE )  
TERMINALS CORPORATION, a Nevada )  
corporation, )  
 )  
Claimants/Third-Party Defendants. )  
\_\_\_\_\_ )


KING, Judge:

The Honorable Janice M. Stewart, United States Magistrate Judge, filed Findings and Recommendation on November 30, 2005. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Stewart's Findings and Recommendation (#209).

IT IS HEREBY ORDERED that CP Ships' Motion for Judgment on the Pleadings and alternate Motion for Summary Judgment (#147), joined in by the Port of Portland and Marine Terminals Corporation (#185) is DENIED.

Dated this 3<sup>rd</sup> day of January, 2006.

  
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Garr M. King  
United States District Judge